
Introduced by Senator Anderson
(Coauthors: Senators Berryhill, Fuller, Gaines, Nielsen, and Stone)
(Coauthors: Assembly Members Bigelow and Mathis)

February 17, 2017

An act to add Section 2023 to the Fish and Game Code, and to repeal Section 33410 of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

SB 710, as introduced, Anderson. Silencers.

Existing law makes it a felony to possess a silencer in the state, punishable by imprisonment in county jail or by a fine not to exceed \$10,000 or by both that fine and imprisonment.

This bill would delete the felony prohibition on possession of a silencer and would authorize an individual in lawful possession of a device that will silence, suppress, or muffle the sound or natural report of a firearm when the firearm is discharged to use that device to hunt a bird, mammal, fish, reptile, or amphibian for which the individual is licensed if the firearm to which the device is attached is lawfully possessed.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2023 is added to the Fish and Game Code,
- 2 to read:
- 3 2023. An individual in lawful possession of a device that will
- 4 silence, suppress, or muffle the sound or natural report of a firearm
- 5 when the firearm is discharged may use that device to hunt a bird,

1 mammal, fish, reptile, or amphibian for which the individual is
2 licensed if the firearm to which the device is attached is lawfully
3 possessed.

4 SEC. 2. Section 33410 of the Penal Code is repealed.

5 ~~33410. Any person, firm, or corporation who within this state~~
6 ~~possesses a silencer is guilty of a felony and upon conviction~~
7 ~~thereof shall be punished by imprisonment pursuant to subdivision~~
8 ~~(h) of Section 1170 or by a fine not to exceed ten thousand dollars~~
9 ~~(\$10,000), or by both that fine and imprisonment.~~